

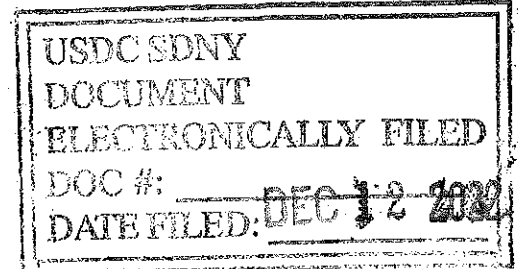
ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
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- v. - :
:
SUNI MUNSHANI, :
:
Defendant. :
:
- - - - - X

SUPERSEDING
INFORMATION

S1 22 Cr. 215 (JSR)



COUNT ONE

(Conspiracy to Commit Wire Fraud)

The United States Attorney charges:

1. From in or about October 2011 through in or about 2020, in the Southern District of New York and elsewhere, SUNI MUNSHANI, the defendant, and others known and unknown, knowingly and willfully combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, wire fraud, in violation of Title 18, United States Code, Section 1343.

2. It was a part and object of the conspiracy that SUNI MUNSHANI, the defendant, and others known and unknown, knowingly having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of

wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, MUNSHANI agreed with others to defraud a victim company (the "Victim Company") by fraudulently causing the Victim Company to pay over \$6 million to a purported third-party contractor controlled by MUNSHANI (the "Contractor") and for a purported tax liability of the Victim Company, which payments were deposited into bank accounts controlled by MUNSHANI and others.

3. It was a further part and object of the conspiracy that SUNI MUNSHANI, the defendant, and others known and unknown, knowingly having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, MUNSHANI agreed with others to defraud the Victim Company through licensing and reseller agreements between the Victim Company and two other companies (the "Licensing Company" and the "Reseller Company," respectively).

Overt Acts

4. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about October 2011, SUNI MUNSHANI, the defendant, created an email account (the "Email Account") associated with the Contractor.

b. Between in or about October 2011 and in or about July 2015, MUNSHANI used the Email Account to correspond with the Victim Company and to obtain payments from the Victim Company totaling at least approximately \$3 million dollars for services that were never provided to the Victim Company.

c. In or about May 2015, MUNSHANI caused the Victim Company to issue a \$3.5 million check for a purported tax liability, which check MUNSHANI then deposited into an unauthorized bank account created by MUNSHANI in the name of the Victim Company.

d. In or about February 2019, MUNSHANI instructed another individual, in substance and in part, to set up the Reseller Company "in the same way as [the Licensing Company]."

e. Between in or about February 2019 and in or about October 2019, MUNSHANI helped create and submit fraudulent invoices from the Reseller Company to the Victim Company.

(Title 18, United States Code, Sections 371.)

FORFEITURE ALLEGATION

5. As a result of committing the offense charged in Count One of this Superseding Information, SUNI MUNSHANI, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense, and the following specific property:

a. Real property located at 20 Redding Road, Easton, Connecticut; and

b. A 2016 BMW Model M4 automobile, with Vehicle Identification Number WBS3U9C55GP969378.

Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)

A handwritten signature in dark ink, appearing to read "Damian Williams", written over a horizontal line.

DAMIAN WILLIAMS
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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- v. -

SUNI MUNSHANI,

Defendant.

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(18 U.S.C. § 371.)

DAMIAN WILLIAMS
United States Attorney.
